Spiritual vs. Temporal Power: Two Views

Read the contrasting views of John of Paris and Pope Boniface VIII. How does each view the distribution of power? Who should have the upper hand in government? What do these contrasting opinions show about how attitudes about government and the Church were changing at the end of the Middle Ages?

John of Paris, *On Royal and Papal Power*

Page references below are to the translation by J.A. Watt (BX1810.J413). Quotations are also from that translation.

John of Paris (also known as Johannes Quidort) was a French Dominican who taught in the university of Paris in the late 13th century (d. 1306). He may have been a student of Thomas Aquinas. He wrote *De potestate regia et papali* (*On Royal and Papal Power*), date uncertain (perhaps about 1302), in connection with the conflict between pope Boniface VIII and king Philip IV of France. He presents himself as taking the middle ground between two mistaken schools of thought:

- those who say that the pope and bishops have no power in temporal affairs, and that it is unlawful for the clergy to have any temporal property, and
- those who say that the pope has power over the properties of laymen and jurisdiction over them, and say that the pope 'has primary authority, derived directly from God, whereas the prince has his power mediately from God through the pope' (p. 71).

**Kings and Priests**

Chapter 1, on kings, and chapter 2, on priests, follow Thomas Aquinas's *On Kingship* closely. 'A society in which everyone seeks only his own advantage will collapse and disintegrate unless it is ordered to the good of all by some one ruler who has charge of the common good' (p. 77); hence government by the king. But priests are also needed. Mankind are ordered not to a merely natural end, to live virtuously in this life, but to a supernatural end, which is eternal life; they need to be directed also to this higher end. 'Man however cannot secure eternal life through purely human virtue... This leadership to that end belongs to a divine not a human king... that is Jesus Christ' (p. 80). When Christ returned to heaven he left human priests to administer his sacraments.

Chapter 3 argues that there is one supreme priest, but not one supreme world-wide king. (John of Paris is a Frenchman, and rejects the authority of the 'Roman Emperor' elected by the German princes.) The unity of the Church requires unity of belief and there must therefore be an authority of settle disagreements.

But there is no reason why there should be one supreme temporal monarch; indeed there are reasons why there should not.

Secular power is more diverse, because of the diversity of climates and... physical constitutions... Secondly, because one man alone cannot rule the world in temporal affairs as can one alone in spiritual affairs. Spiritual power can easily extend its sanction to everyone, near and far, since it is verbal. Secular power, however, cannot so easily extend its sword very far, since it is wielded by hand. It is far easier to extend verbal than physical authority ['verbal' means exercised by words - it is not a term of disparagement]. Third, because the temporalities of laymen are not communal...; each is master of his own property as acquired through his own industry [cf. p. 103]. There is no need therefore for one to
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administer temporalities in common since each is his own administrator to do with his own what he wishes. On the other hand, ecclesiastical property was given to the [Christian] community as a whole... (pp. 85-6).

For support in his opposition to the idea of one world empire John refers to Augustine (cf. *City of God*, IV.15). There is more argument to the same effect on pp. 224-8.

Chapter 4 argues that there were kings before there was any true priest. Chapter 5 argues that the priesthood is superior in dignity to the kingship.

Yet... it does not follow that it is superior in every respect... Both take their origin immediately from one supreme power, namely God. Hence the inferior [the king] is not subject to the superior [the priest] in all things but only in those matters in which the supreme power [God] has subordinated the inferior to the superior. What man would argue that because a teacher of letters or moral tutor guides a household to a nobler end, knowledge of truth, than its doctor whose concern is with the lesser end of physical health, the physician should be subject to the teacher in the preparation of his medicines? (p. 93).

The examples of teacher and tutor are used by Thomas Aquinas, who does argue that one who has care of a lower end should be subject to one who has care of a higher end, and that the king should therefore be subordinate to the pope; see *On Kingship*, p. 59, and appendix, p. 107. John of Paris seems to be disagreeing with Thomas Aquinas at this point, although otherwise he has followed him closely. (Compare John, p. 77 with Thomas *On Kingship* pp. 5-6, p. 80 with p. 61, pp. 93-5 with pp. 59-63). Whether a hierarchy of ends establishes a hierarchy of powers is discussed again later in the book (see below).

What power does the Pope have over property?

(A point of terminology: John uses the word *dominium*, 'lordship', for what we might call ownership. However, the lord might not have immediate control over the thing, as a modern owner usually does (the feudal overlord is lord, though we might hesitate to say owner). John uses *bona*, 'goods', for what we would call property: goods include houses and other 'immovables', not just small objects.)

First, Church property (chapter 6). Lordship over the goods of a diocese (e.g. the diocese of Chartres) pertains to that community, not to any individual (not to the bishop of Chartres). Church property comes by gift or grant, and the giver has given it to the community (or it is not Church property but the property of the individual it was given to). Individuals may have a right to maintenance, and the head of the community (the bishop) has the right of management; but the property is owned by the community. Similarly lordship over the goods of the Catholic Church as a whole belongs to the whole Catholic community, not to the pope. He has 'general stewardship'. He cannot alienate (sell or give away) Church goods at will. If he misuses Church property he betrays a trust and may be deposed. (The possibility of deposition is based on Gratian's *Decretum*, d. 40, *Si papa*, which says that a pope can be judged 'if detected in error of faith': the gloss comments, 'Should he be detected in any other fault and after being admonished does not amend and is giving scandal to the church, the same shall be done', i.e. he should be deposed; p. 101.)

In respect of the goods of laymen, the pope does not have lordship or even stewardship (chapter 7). Such goods do not come by gift or grant to a community, but are acquired by individual laymen 'through their own skill, labour and diligence' (p. 103; cf. p. 86).
'One who declares what the law is': who does not make the law, but points out an existing duty under natural or divine law.

'Neither prince nor pope': notice that the lay ruler does not have lordship over the goods of individual citizens.

'For the reason... common need and welfare (p. 104)': This means that the individual's right to property is not absolute. Some of it can be taken even without the individual's consent when the common good requires it. (Later Locke maintained that there should be no taxation without consent; here John says that, although the ruler cannot treat as his own the subject's property, when the common need justifies it he can levy compulsory contributions.)

'In any major necessity... common property': Cf. Thomas Aquinas, *Summa theologiae*, 2-2, q. 66, a. 7, and 2-2, q. 32, a. 7, ad 3.

**Does the pope have jurisdiction in temporal matters?**

Note the distinction between lordship over goods and jurisdiction. The ruler has jurisdiction even over goods which are not his property, and over people. Has Christ given the pope supreme jurisdiction in temporal matters? John argues (1) that Christ as man did not himself have such jurisdiction, and (2) that even if he had, he did not pass it on to Peter or to Peter's successors.

1. Christ did not have temporal jurisdiction. In chapter 8 this point is argued from various bible texts and passages from the fathers of the Church. 'My kingdom is not of this world' (Jn. 18:36); 'Man, who hath appointed me judge or divider over you?' (Lk. 12:13-5). Christ as God was king, but as man he was not. Chapter 9 answers various objections - bible texts which seem to show that Christ did claim temporal jurisdiction (e.g. Mt. 21, in which Christ drove traders out of the temple). 'All such arguments can be easily dismissed when one appreciates that something can be attributed to Christ as God which was not in his power as man' (p. 112).

2. In chapter 10 John argues that even if Christ as man had supreme temporal jurisdiction that would not necessarily mean that he passed it on to Peter and his successors. That he did so would have to be proved from his express words. There is no presumption that whatever power Christ had Peter had. There are bible texts which show that temporal jurisdiction was not granted to the apostles. 'The princes of the Gentiles lord it over them, it shall not be so among you' (Mt. 20:25). Various texts of canon law show that the pope has no temporal jurisdiction. In chapter 11 he rejects an evasion of these arguments. Some say that the pope has supreme jurisdiction in authority, but not in execution or exercise - that he grants its exercise to the prince; the temporal sword is the pope's, but it is wielded for him by the lay ruler. But why would God grant the pope a power which he was forbidden to exercise?

So far, then, it has been argued that the pope does not have supreme lordship over goods - not even over the goods of the Church - and does not have supreme temporal jurisdiction. In Chapter 11 John puts 42 arguments to prove that the pope does have supreme temporal jurisdiction, and goes on in later chapters to answer them. (This is a typical medieval procedure: after presenting his own position the author raises 'doubts' against it and answers them.) We cannot read all 42 arguments and answers, but -
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Read arguments 20 (p. 133) and 23 (p. 134), and John's answers (pp. 182-3, 184-6). Again (cf. pp. 93-4) John is arguing against Thomas Aquinas's principle that one who has care of a lower end should be subject to him who has care of the higher end.

Read pp. 156-7

This means that the pope can indirectly bring about the deposition of a king. Note that the pope can also be deposed.

There is much else of interest in this book, but we must move on. Noteworthy points:

1. Church property belongs to the Christian community, the property of laymen belongs to the individuals; property-owners may be required to make contributions.
2. A world-empire is not desirable.
3. Secular government is not subordinate to the Church; the Church has from Christ no temporal power.

Further reading

J. A. Watt, 'Introduction';

Boniface VIII, Unam Sanctam, 1302

*The Bull 'Unam Sanctam', in which Pope Boniface VIII asserted his rights against King Phillip the Fair of France, is a landmark in the history of the doctrine of Papal Primacy.*

*The 1913 Catholic Encyclopedia says: "The Bull lays down dogmatic propositions on the unity of the Church, the necessity of belonging to it for the attainment of eternal salvation, the position of the Pope as supreme head of the Church, and the duty thence arising of submission to the Pope in order to belong to the Church and thus to attain salvation. - in the writings of non-Catholic authors against the definition of Papal Infallibility, the Bull ... was used against Boniface VIII as well as against the papal primacy in a manner not justified by its content. The statements concerning the relations between the spiritual and the secular power are of a purely historical character, so far as they do not refer to the nature of the spiritual power, and are based on the actual conditions of medieval Europe. 'Unam' is frequently quoted, and misquoted, by anti-Catholics trying to prove that Boniface VIII, and Popes in general, are arrogant and evil men, intent on extending their own power."

The following English translation of 'Unam' is taken from a doctoral dissertation written in the Dept. of Philosophy at the Catholic University of America, and published by CUA Press in 1927.
Urged by faith, we are obliged to believe and to maintain that the Church is one, holy, catholic, and also apostolic. We believe in her firmly and we confess with simplicity that outside of her there is neither salvation nor the remission of sins, as the Spouse in the Canticles [Sgs 6:8] proclaims: 'One is my dove, my perfect one. She is the only one, the chosen of her who bore her,' and she represents one sole mystical body whose Head is Christ and the head of Christ is God [1 Cor 11:3]. In her then is one Lord, one faith, one baptism [Eph 4:5]. There had been at the time of the deluge only one ark of Noah, prefiguring the one Church, which ark, having been finished to a single cubit, had only one pilot and guide, i.e., Noah, and we read that, outside of this ark, all that subsisted on the earth was destroyed.

We venerate this Church as one, the Lord having said by the mouth of the prophet: 'Deliver, O God, my soul from the sword and my only one from the hand of the dog.' [Ps 21:20] He has prayed for his soul, that is for himself, heart and body; and this body, that is to say, the Church, He has called one because of the unity of the Spouse, of the faith, of the sacraments, and of the charity of the Church. This is the tunic of the Lord, the seamless tunic, which was not rent but which was cast by lot [Jn 19:23-24]. Therefore, of the one and only Church there is one body and one head, not two heads like a monster; that is, Christ and the Vicar of Christ, Peter and the successor of Peter, since the Lord speaking to Peter Himself said: 'Feed my sheep' [Jn 21:17], meaning, my sheep in general, not these, nor those in particular, whence we understand that He entrusted all to him [Peter]. Therefore, if the Greeks or others should say that they are not confided to Peter and to his successors, they must confess not being the sheep of Christ, since Our Lord says in John 'there is one sheepfold and one shepherd.'

We are informed by the texts of the gospels that in this Church and in its power are two swords; namely, the spiritual and the temporal. For when the Apostles say: 'Behold, here are two swords' [Lk 22:38] that is to say, in the Church, since the Apostles were speaking, the Lord did not reply that there were too many, but sufficient. Certainly the one who denies that the temporal sword is in the power of Peter has not listened well to the word of the Lord commanding: 'Put up thy sword into thy scabbard' [Mt 26:52]. Both, therefore, are in the power of the Church, that is to say, the spiritual and the material sword, but the former is to be administered for the Church but the latter by the Church; the former in the hands of the priest; the latter by the hands of kings and soldiers, but at the will and sufferance of the priest.

However, one sword ought to be subordinated to the other and temporal authority, subjected to spiritual power. For since the Apostle said: 'There is no power except from God and the things that are, are ordained of God' [Rom 13:1-2], but they would not be ordained if one sword were not subordinated to the other and if the inferior one, as it were, were not led upwards by the other.

For, according to the Blessed Dionysius, it is a law of the divinity that the lowest things reach the highest place by intermediaries. Then, according to the order of the universe, all things are not led back to order equally and immediately, but the lowest by the intermediary, and the inferior by the superior. Hence we must recognize the more clearly that spiritual power surpasses in dignity and in nobility any temporal power whatever, as spiritual things surpass the temporal. This we see very clearly also by the payment, benediction, and consecration of the tithes, but the acceptance of power itself and by the government even of things. For with truth as our witness, it belongs to spiritual power to establish the terrestrial power and to pass judgement if it has not been good. Thus is accomplished the prophecy of Jeremias concerning the Church and the ecclesiastical power: 'Behold to-day I have placed you over nations, and over kingdoms' and the rest. Therefore, if the terrestrial power err, it will be judged by the spiritual power; but if a minor spiritual power err, it will be judged by a superior spiritual power; but if
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the highest power of all err, it can be judged only by God, and not by man, according to the testimony
of the Apostle: 'The spiritual man judgeth of all things and he himself is judged by no man' [1 Cor 2:15]. This authority, however, (though it has been given to man and is exercised by man), is not
human but rather divine, granted to Peter by a divine word and reaffirmed to him (Peter) and his
successors by the One Whom Peter confessed, the Lord saying to Peter himself, 'Whatsoever you shall
bind on earth, shall be bound also in Heaven' etc., [Mt 16:19]. Therefore whoever resists this power
thus ordained by God, resists the ordinance of God [Rom 13:2], unless he invent like Manicheus two
beginnings, which is false and judged by us heretical, since according to the testimony of Moses, it is
not in the beginnings but in the beginning that God created heaven and earth [Gen 1:1]. Furthermore,
we declare, we proclaim, we define that it is absolutely necessary for salvation that every human
creature be subject to the Roman Pontiff.

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